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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria, Angola,* Bahrain,* Cameroon,* Chad,* Congo, Cuba, Djibouti,* Egypt,* Equatorial Guinea,* Jordan,* Kuwait,* Lebanon,* Libya,* Mali,* Mauritania,* Morocco, Nigeria, Oman,* Philippines, Saudi Arabia, Senegal,* Somalia,* South Sudan,* Sudan,* Togo, Tunisia,* United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen,* State of Palestine:* draft resolution

31/... Effects of terrorism on the enjoyment of all human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant international human rights instruments,

Recalling all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism, including Assembly resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 66/10 of 18 November 2011 on the United Nations Counter-Terrorism Centre established on the initiative of the United Nations and Saudi Arabia, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014, 70/148 of 17 December 2015, and Commission resolution 2004/44 of 19 April 2004, as well as Human Rights Council resolutions on terrorism and human rights, including 28/17 of 26 March 2015,

Reaffirming its commitment to the United Nations Global Counter-Terrorism Strategy and its four pillars, adopted by the Assembly in its resolution 60/288,

Reaffirming also the right of the people to live in peace, freedom and security and their right to be protected at all times from the threat of terrorism,

Reaffirming further that everyone has the right to life, liberty and security of person,

* Non-member State of the Human Rights Council.

Reaffirming that civil, political, economic, social and cultural rights are universal, indivisible, interdependent and interrelated, as enshrined in the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recognizing that the objectives of countering terrorism and of the protection and promotion of human rights are not conflicting but complementary and mutually reinforcing,

Reaffirming the fundamental importance of respecting all human rights and fundamental freedoms and the rule of law,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure effective implementation of their obligations under international human rights law and international humanitarian law, as applicable,

Taking note of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, submitted to the Human Rights Council at its twenty-ninth session,[1]

Welcoming the holding of a panel discussion on the effects of terrorism on the enjoyment by all persons of human rights and fundamental freedoms at the twenty-ninth session of the Human Rights Council, and taking note of the summary report thereon,[2]

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism in all its forms and manifestations,

Recognizing that international cooperation and any measures taken by Member States to prevent and combat terrorism must fully comply with their obligations under international law, including the Charter, in particular the purposes and principles thereof, and other relevant international conventions and protocols, in particular human rights law and international humanitarian law, as applicable,

Emphasizing that mutual respect, tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to this end,

Reaffirming its strongest condemnation of the heinous acts of terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of motivation, as criminal and unjustifiable acts that have detrimentally affected the enjoyment of human rights and fundamental freedoms, such as the right to life, liberty and security of person, thus impeding the full realization of economic, social and cultural rights, threatening the territorial integrity and security of States, rule of law and democracy, and destabilizing Governments, and ultimately representing a grave threat to the functioning of societies and to international peace and security,

Acknowledging the important contribution of measures taken at all levels against terrorism, consistent with international law, to the functioning of democratic institutions and the maintenance of peace and security and thereby to the full enjoyment of human rights, and the need to continue the fight against terrorism, including through international cooperation and strengthening the role of the United Nations in this respect,

Expressing its continuing concern at the increasing flow of foreign terrorist fighters and at the threat it poses to all States, including countries of origin, transit and destination,

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[1] A/HRC/29/51.
[2] A/HRC/30/64.

encouraging all States to address this threat by enhancing their cooperation and developing relevant measures to prevent and tackle this phenomenon, including information-sharing, border management to detect travel, and appropriate criminal justice response, and to consider the use of United Nations instruments and mechanisms, as well as sanctions regimes,

Reiterating that all States should fulfil their responsibilities in denying all forms of support, for terrorists and terrorist groups, particularly political, military logistical and financial support, including through collecting funds by their nationals or persons in their territories, or availing financial assets, directly or indirectly, for the benefit of, or with the intention that the funds be used by, or with the knowledge that they are to be used by, terrorist groups or individual terrorists for any purpose, and deny providing safe haven and to prevent terrorists from benefiting directly or indirectly from ransom payments to terrorist groups, and to bring to justice or, where appropriate, extradite, on the basis of the principle of extradite or prosecute, the perpetrators of terrorist acts or any person who supports, facilitates or participates, or attempts to participate, in the financing, planning, preparation or perpetration of terrorist acts or in providing safe havens,

Welcoming political commitments, actions and initiatives taken and adopted against kidnapping for ransom in different forums, such as Algiers Memorandum on Good Practices on Preventing and Denying the Benefits of Kidnapping for Ransom by Terrorists,

Deeply concerned at the serious crimes committed by terrorist groups and individuals, including foreign terrorist fighters, that have targeted persons and groups on the basis of their ethnic and religious background and involved gross human rights abuses,

Deploring attacks on religious places and shrines and cultural sites, which may violate international law, in particular human rights and international humanitarian law, including any deliberate destruction of relics, monuments and religious sites,

Recalling its resolution 16/18 of 24 March 2011 and its follow-up resolutions, the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence and the Istanbul Process for Combating Intolerance, Discrimination and Incitement to Hatred and/or Violence on the Basis of Religion or Belief, and calling for their effective implementation by the international community in order to contribute to a more conducive environment to countering the messages of extremist groups attempting to justify violence, including through ethnic or religious stigmatization and discrimination,

Affirming States' determination to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights for all and the rule of law, to improve intercultural understanding and to ensure respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern at their detrimental effects on the enjoyment of human rights, including the right to life, liberty and security of person, as stipulated in article 3 of the Universal Declaration of Human Rights;

2. *Expresses its concern* that terrorists and terrorist groups have targeted population segments and regions, and in some cases on the basis of religion and/or ethnicity of specific individuals and communities;

3. *Reaffirms* the primary responsibility of States in preventing and countering terrorism in all its forms and manifestations in the territory under their jurisdiction, in full compliance with their international law obligations;

4. *Urges* States, while countering terrorism, to respect and protect all human rights, bearing in mind that certain counter-terrorism measures may have an impact on the enjoyment of those rights;

5. *Expresses concern* at the increase in kidnapping and hostage-taking with demands for ransom and/or political concessions being made by terrorist groups, and expresses the need to address this issue;

6. *Reiterates* the obligation of States to prevent and suppress the financing of terrorist acts, including ransom payment, and to criminalize the wilful provision or collection by any means, directly or indirectly, of funds by their nationals or in their territories with the intention that the funds be used, or with the knowledge that they are to be used, to carry out terrorist acts;

7. *Encourages* States to refrain from supporting terrorist groups in establishing propaganda platforms, such as electronic or satellite platforms or any other media on their territory for disseminating hatred or instigation;

8. *Urges* States to take appropriate measures to duly investigate the incitement, preparation or commission of acts of terrorism, and to bring to justice those engaged in such acts in accordance with national criminal laws and procedures and international human rights law, as applicable;

9. *Also urges* States to adopt rehabilitation and reintegration strategies for returning foreign terrorist fighters, in line with the good practices set out in the Hague – Marrakech Memorandum of the Global Counterterrorism Forum, and to adopt a comprehensive approach that includes the development of national centres for counsel and deradicalization that can play an important role along with criminal justice responses, and in this regard welcomes the role of the Mohamed bin Naif Counselling and Care Centre in countering terrorist ideologies and activities;

10. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their international law obligations, and emphasizes the importance of cooperation among stakeholders in the implementation of the United Nations Global Counter-Terrorism Strategy, including among States, international, regional and subregional organizations, the private sector and civil society, to address this issue, while respecting human rights and fundamental freedoms and complying with international law and the purposes and principles of the Charter, and reiterates that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, mutual respect and dialogue and understanding among peoples and peace, and in this regard notes with appreciation the constructive role played by the Cyber Observatory of Takfiri Fatwas in Egypt;

11. *Renews* its commitment to strengthening international cooperation to prevent and counter terrorism in accordance with the principles of international law, including the Charter, international human rights law and international humanitarian law, including through technical cooperation and capacity-building, and in that regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars;

12. *Calls upon* all States to promote a culture of peace, justice and human development, ethnic, national and religious tolerance, and respect for all religions, religious values, beliefs and cultures by establishing and encouraging, as appropriate, education and public awareness programmes involving all sectors of society;

13. *Expresses* its solidarity with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and of providing them with proper support and assistance, while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, in accordance with international law, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law;

14. *Encourages* States to provide appropriate assistance and rehabilitation for victims of terrorism in accordance with relevant national laws from within available resources;

15. *Urges* States and the international community to take measures, including through education, awareness-raising, the media and human rights education and training, to effectively address the conditions conducive to the spread of terrorism and that make individuals and groups more vulnerable to the effects of terrorism and to recruitment by terrorists;

16. *Invites* all treaty bodies, special procedure mandate holders, international and regional human rights mechanisms and the United Nations High Commissioner for Human Rights, within their respective mandates, to pay due attention to the negative impact of terrorism on the enjoyment of all human rights and fundamental freedoms;

17. *Requests* the High Commissioner to prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, particularly the right to life, liberty and security of person, while paying particular attention to best practices and major challenges in this regard, and to present the report to the Human Rights Council at its thirty-fourth session.